THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14076 of 2007

Dated: 03-07-2007

Between:

Chidurala Mogili.

..... PETITIONER

AND

The District Collector, Karimanagar, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14076 of 2007

ORDER:

The petitioner's father is allegedly owner of land Acs.5.02 guntas in survey No.1111 situated at Raghavapur Village, Pedapalli Mandal, Karimnagar District. After death of his father, the petitioner succeeded to the same. One Elaveni Mallaiah, the deponent of the affidavit accompanying the writ petition purchased the land from the petitioner under sale agreement-cum-General Power of Attorney dated 19.12.2006. It is alleged that an extent of Ac.0.10 guntas in said survey number is occupied by the antisocial elements, which was objected by the petitioner, and they then approached second respondent seeking possession

certificates. It appears that the Andhra Jyothi District Edition published a news item that second respondent is likely to issue possession certificates to those illegal occupants. Alleging that second respondent has no jurisdiction or power to issue possession certificate in respect of the private land owned by the petitioner, instant writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in issuing such possession certificate as illegal and arbitrary.

After hearing the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-T), this Court is convinced that the writ petition is filed on mere apprehension. When the petitioner is in the knowledge that second respondent is likely to issue possession certificate in respect of the land owned by him(petitioner), it is always open to him to approach second respondent for redressal. If he faces failure over there, he can as well complain the same to the District Collector. The present writ petition is filed without availing these remedies.

The writ petition, which is misconceived, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

03rd July, 2007
ghn